

M. GALE LEMMON #4363  
Assistant Attorney General  
MARK L. SHURTLEFF #4666  
Attorney General  
Attorneys for Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3872

## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH STATE INSURANCE DEPARTMENT

**RESPONDENT:**

PHILIP J. TIMOTHY  
732 S. 500 West  
Vernal, UT 84078  
License No. 22035

**DEFAULT AND  
DEFAULT ORDER**

**Docket No.** 2008-110-PC

**Enf. Case No.** 2233


---

**DEFAULT**

On Monday, September 22, 2008, the date and time set for the Pre-hearing in this matter, the Complainant appeared by and through its attorney, M. Gale Lemmon, Assistant Attorney General and the Respondent failed to appear either in person or through counsel. Further, more than 30 days have elapsed since the filing of the complaint and Respondent has failed to file a Response to the Complaint in this matter. Therefore, pursuant to Utah Code Annotated § 63G-4-209, the Default of the Respondent is hereby entered.

DATED this 22<sup>nd</sup> day of September, 2008.

D. KENT MICHIE  
INSURANCE COMMISSIONER

  
MARK E. KLEINFELD, Esq.  
Presiding Officer

### **DEFAULT ORDER**

The Default of the Respondent having previously been entered, the presiding officer hereby adopts the allegations in the Complaint as his Findings of Fact and Conclusions of Law, and enters the following Order:

IT IS HEREBY ORDERED:

1. The insurance license of the Respondent, Philip J. Timothy, is hereby revoked forthwith.
2. Respondent shall immediately cease doing any insurance business in the State of Utah and shall not be an owner, directly or indirectly, and shall not act as an officer, director, employee or agent of any entity doing an insurance business in the State of Utah.


### **NOTIFICATION**

Respondent is hereby notified that failure to abide by the terms of this Order may subject Respondent to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the filing of an action to enforce this Order in the District Court which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 22<sup>nd</sup> day of September, 2008.

D. KENT MICHIE  
INSURANCE COMMISSIONER



---

MARK E. KLEINFELD, Esq.  
Presiding Officer  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

CERTIFICATE OF MAILING

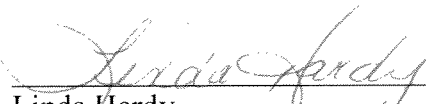
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Philip J. Timothy  
732 S 500 West  
Vernal, UT 84078

DATED this 22<sup>nd</sup> day of September, 2008.

  
Linda Hardy Court Clerk  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901